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December 11, 2015

By ECF and Overnight Delivery

The Honorable William H. Pauley III
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY
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Re: *United States ex rel. Ilya Eric Kolchinsky v. Moody's Corp., et al.*,
Civ. A. No. 12-cv-1399 (S.D.N.Y.)

MEMO ENDORSED

Dear Judge Pauley:

We represent the Relator, Ilya Eric Kolchinsky, in the above-referenced action. We and the Defendants jointly write to respectfully request a stay of discovery, pending the Court's adjudication of the Defendants' motion to dismiss.

On November 6, 2015, the Court heard oral argument on Defendant's motion to dismiss. At present, the parties still have considerable discovery to conduct in this case. However, until the Court resolves the motion to dismiss, the parties lack clarity as to the appropriate scope of discovery that needs to be pursued and the issues to be examined. As such, we believe it would be more efficient if the Court stays discovery, until after the Defendant's motion to dismiss has been ruled upon, and to suspend the current pretrial order date. *See generally Negrete v. Citibank, N.A.*, No. 15 CIV. 7250 (RWS), 2015 WL 8207466, at *1-2 (S.D.N.Y. Dec. 7, 2015).

In the event the Court denies the motion to dismiss in whole or in part, the parties agree to approach the Court to discuss an appropriate modification of the discovery schedule.

We have spoken with counsel for Moody's, who agrees with the foregoing request.

Thank you for the Court's consideration of this request.

All discovery deadlines are adjourned.

The parties shall propose a new discovery schedule following resolution of the motion to dismiss.

Respectfully submitted,

Stephen A. Weiss

cc: Joshua M. Rubins, Esq. (by ECF and e-mail)
James J. Coster, Esq. (by ECF and e-mail)
Glenn C. Edwards, Esq. (by ECF and e-mail)

SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J. 12/14/15

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